

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jorge Antonio RODRIGUEZ-Barron,

Defendant

Magistrate Docket No. 08 MJ 13288

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **May 1, 2008** within the Southern District of California, defendant, **Jorge Antonio RODRIGUEZ-Barron**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT

James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2<sup>nd</sup> DAY OF MAY, 2008

  
Nita L. Stormes

UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:**  
**Jorge Antonio RODRIGUEZ-Barron**

6

**PROBABLE CAUSE STATEMENT**

On May 1, 2008 at approximately 1:30 A.M., Border Patrol Agent M. Quintero was performing line watch duties near an area known as "Wrucks Canyon." This area is located is approximately 2.5 miles east of the San Ysidro, California, Port of Entry and is approximately 250 yards north of the United States/Mexico International Boundary.

A Remote Video Surveillance System camera operator, (RVSS) advised Agents in the field via service radio that he observed five individuals cross the primary and secondary international boundary fences and run north. With the help of a Air and Marine Interdiction helicopter, Agent Quintero was directed to the group. All five individuals including one later identified as the defendant **Jorge Antonio RODRIGUEZ-Barron**, admitted to being citizens and nationals of Mexico with out any immigration documents allowing them to enter or remain in the United States legally. All five were placed under arrest and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **April 28, 2007** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.